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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/000,105	10/30/2001	Peter A. Thompson	19414-05852	8966

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EXAMINER

KOSTAK, VICTOR R

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 08/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/000,105

**Applicant(s)**

THOMPSON ET AL.

**Examiner**

Victor R. Kostak

**Art Unit**

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 19-22 is/are rejected.
- 7) ☒ Claim(s) 7-18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5</u> . | 6) <input type="checkbox"/> Other: ____.  |

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1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Or (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Lindemeier et al.

Lindemeier (noting particularly Figs. 1, 2, 4, 9 and 11) involves detecting radio frequency interference in a television receiver located in a moving vehicle (e.g. col. 1 lines 51-60), wherein signal quality evaluation circuit 7 functions as the detection device that identifies if and which signal components have been subjected to interference (detailed in Fig. 9), and as a result, correction is made by selecting a different antenna using device 10 connected to the detection unit by way of controller 9, thereby meeting claim 1.

As for claim 2, the receiver receives PAL signals (e.g. col. 4 lines 43-34) from an inherent transmitting end, not shown.

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3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindemeier et al.

As for claim 19, one of the signal components evaluated for quality so observed for interference corruption is the color burst (noting again Fig. 9, and although Lindemeier does not specify using a "detection flag", he does generate an evaluation signal that indicates the signal condition which is used for forming a weighting, which in turn is processed by controller 8 for signal correction.

It would have to one of ordinary skill in the art to consider the evaluation signal, or alternatively to generate a flag, tag, or any other type of ID signal as indicating the signal condition (for subsequent processing) since identification is required for such subsequent correction.

As for claim 20, the h sync is also evaluated (e.g. Figs. 3, 9 and 10).

4. Claims 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindemeier et al. in view of Ireton et al. (cited and provided by applicant).

As noted above, Lindemeier does not show the initial transmitting end because he focuses on the reception and correction of the received signal. As was also stated, initial signal

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generation (in Lindemeier specified as a PAL signal) is required for the receiver to be operational as a video signal receiver.

It would have been clearly obvious to one of ordinary skill in the art to use any suitable PAL signal generator which typically includes an accompanying audio signal for subsequent transmission, such as that shown by Ireton (sole Figure), who discloses a standard camera 17 and microphone 14 for the video and audio signal generation, which is accordingly encoded by computer 12 for eventual transmission, thereby meeting claims 3, 4 and 6.

It would also have been obvious to use any well known video standard, such as the NTSC standard, in the system of Lindemeier for the clear purpose of accommodating as large a population of users as possible with interference-reduced A/V signal reception and presentation, thereby meeting claim 5.

5. Claims 21 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Blair et al.

Blair corrects for corrupted data (e.g. smeared, blurred: col. 1 lines 62-65) which data represents target areas (the areas comprising lines forming the entirety of an image frame), wherein a current frame is stored using a capturing device (e.g. col. 3 lines 1-6) and successive frames are stored (element 104 in Fig. 1) which are closest in time relative to the corrupted frame in question, and which contain data lines corresponding spatially to the frame in question. Noting Fig. 2, the value of data of the frame in question (i.e. a second frame) is evaluated and compared with spatially corresponding data from the temporally adjacent frame(s), and the corrupted data is accordingly replaced with uncorrupted data from the adjacent frames (e.g. col. 8 lines 20-27), thereby meeting claim 21.

As for claim 22, Blair uses multiple successive frames in his data replacement process (e.g. col. 6 lines 60-67), the process being the same as that carried out in Fig. 2.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is informed that Dent, Remy, May and Strehl can all be applied to claims 21 and 22 as well.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor R. Kostak whose telephone number is 703 305-4374. The examiner can normally be reached on Monday - Friday from 6:30am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 703 305-4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Any response to this action should be mailed to:**

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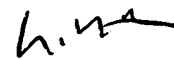
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**Or faxed to:**

**(703) 872-9306 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 308-HELP.



Victor R. Kostak  
Primary Examiner  
Art Unit 2614

VRK